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Counsel for Defendant ALEXANDER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. CR 09-719 EMC
Plaintiff,)
v.) STIPULATION and [PROPOSED]
GREGORY ALEXANDER,) ORDER TO CONTINUE STATUS
Defendant.) CONFERENCE
Date: August 31, 2011
Time: 2:00 p.m.
Court: The Honorable Edward M. Chen

Undersigned counsel stipulate as follows:

1. A status conference is currently scheduled in this matter on August 31, 2011 at 2:00 p.m. The purpose of the status conference is advise the Court as to the status of a potential disposition of the case;
2. The parties hereby advise the Court that the government has made an official offer to Mr. Alexander, and the parties are conferring over some specific terms of the offer. One of the outstanding issues is whether or not a restitution amount is appropriate, and the government needs to provide additional discovery to the defense in this vein. The defense also needs additional time to review that discovery. Accordingly, Mr. Alexander requests a continuance of the status conference for this purpose;
3. Government counsel has no objection to defense counsel's request for additional

1 time;

2 4. The parties jointly request September 28, 2011 as the next date before the Court;

3 5. The parties jointly request that the Court exclude the period of time between

4 August 31, 2011- September 28, 2011 under the Speedy Trial Act for effective
5 preparation of counsel; namely, counsel needs more time to analyze and review
6 the restitution-related discovery after the government produces said discovery.

7 *See 18 U.S.C. § 3161(h)(7)(A) and (b)(iv).*

8 IT IS SO STIPULATED.

9 DATED: August 29, 2011

10 _____/S/_____

11 ELIZABETH M. FALK
12 Assistant Federal Public Defender

14 DATED: August 29, 2011

15 _____/s/_____

16 MICHELLE KANE
17 Assistant United States Attorney

18 I hereby attest that I have on file all holographic signatures indicated by a "conformed"
19 signature (/S/) within this efiled document.

20 **[PROPOSED] ORDER**

21 GOOD CAUSE APPEARING, it is hereby ORDERED that the status conference,
22 previously scheduled for August 31, 2011 at 2:00 p.m., is hereby CONTINUED to
23 September 28, 2011 at 2:30 p.m.. The Court further orders and finds, pursuant to 18
24 U.S.C. § 3161(h)(7)(A) and (B)(iv) and the reasons stated in this stipulation, that the failure to
25 grant the requested continuance would deny defense counsel the reasonable time necessary for
26 effective preparation of a defense. Accordingly, the Court will exclude the time period of August
27 31, 2011 through September 28, 2011 from the Speedy Trial calculation, and finds that the ends
28 of justice served by granting the requested two-week continuance outweighs the best interest in

the defendant and the public in a speedy trial.

18 U.S.C. § 3161(h)(7)(A) and (B)(iv)

IT IS SO ORDERED.

DATED: 8/30/11

